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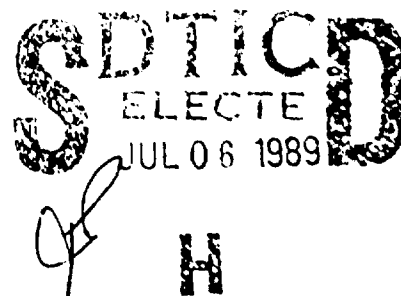
SHOULD THE COMMANDER IN CHIEF, UNITED STATES  
SPECIAL OPERATIONS COMMAND HAVE THE AUTHORITY  
TO DEVELOP AND ACQUIRE SPECIAL OPERATIONS-  
PECULIAR EQUIPMENT, MATERIAL, SUPPLIES OR SERVICES?

BY

LIEUTENANT COLONEL LARRY R. SLOAN

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USAWC MILITARY STUDIES PROGRAM PAPER

SHOULD THE COMMANDER IN CHIEF, UNITED STATES SPECIAL OPERATIONS  
COMMAND HAVE THE AUTHORITY TO DEVELOP AND ACQUIRE SPECIAL  
OPERATIONS-PECULIAR EQUIPMENT, MATERIAL, SUPPLIES OR SERVICES?

AN INDIVIDUAL STUDY PROJECT

BY

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AUTHOR: Larry R. Sloan, LTC, AV

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## CHAPTER I

### INTRODUCTION

The 99th Congress legislated the establishment of a unified combatant command within the Department of Defense, designated the Special Operations Command (SOCOM). Its commander in chief (CINC) was assigned the primary mission "...to prepare special operations forces to carry out assigned missions."<sup>1</sup> Some of his responsibilities include the following functions: "...developing and acquiring special operations-peculiar equipment and acquiring special operations-peculiar material, supplies, and services."<sup>2</sup> The legislation further held the combatant commander responsible for "...validating requirements...establishing priorities for requirements....insuring the interoperability of equipment and forces."<sup>3</sup> Previously this development and acquisition authority had always been a vested power and responsibility of the individual services. This delegation to a unified combatant commander by Congress, in the form of a public law, represents a benchmark digression from traditional roles or missions and, as such, warrants examination. Specifically, this study examines the rationale of Congress' legislative action to determine if the delegation of this acquisition and development authority is well placed with the United States Commander in Chief, Special

Operations Command (USCINCSOC). Can USCINCSOC adequately develop and acquire special operations-peculiar equipment, material, supplies or services? Or, could a Military Service or defense agency organized and oriented to research, development and acquisition better accomplish this task?

The Department of Defense (DOD) acquisition function is integral to the sustainment program. Other functions such as budgeting and research are also found in the sustainment program, but are beyond the scope of this study. USCINCSOC was delegated authority, and tasked, by the same congressional legislation to submit a budget as part of the DOD Five Year Defense Plan and conduct research to support development and acquisition of special operations-peculiar items.

#### DEFINITIONS

The congressional language of Public Law 99-661 is interestingly vague about the tasked "developing and acquiring" aspects for USCINCSOC. The imprecise wording of what constitutes "special operations-peculiar equipment, material, supplies and services" could cause readers to view USCINCSOC's authority from divergent reference points. This in turn may cause the reader to formulate answers not pertinent to this paper. Therefore, to keep the focus on the salient issues, the following definitions are offered. The first is author original and the second, so as not to stray too far from an established foundation, is quoted.

Special operations-peculiar equipment, material, supplies and services. Are necessary to accomplish special operations



activities and are substantiated by appropriate requirements documents. Characteristics and/or considerations include items or functions which are:

- solely applicable to U.S. Special Operations Forces (SOF)
- modified current military or civilian equipment with long-term utility for SOF.
- modified current military or civilian equipment with limited utility (one-time use).
- subject to mission or scenario constraints. Use of conventional items would impede or compromise the operation.
- overridden by operational security parameters.
- constrained by time. It may be quicker to acquire off-the-shelf items rather than modify an existing military capability.

Special operations activities "... include each of the following.

- "(1) Direct action.
- "(2) Strategic reconnaissance.
- "(3) Unconventional warfare.
- "(4) Foreign internal defense.
- "(5) Civil affairs.
- "(6) Psychological operations.
- "(7) Counterterrorism.
- "(8) Humanitarian assistance.
- "(9) Theater search and rescue.
- "(10) Such other activities as may be specified by the President or the Secretary of Defense."4

#### ENDNOTES

1. U.S. Congress, "Defense Authorization Act for Fiscal Year 1987," Public Law 99-661, U.S. Code Congressional and Administrative News, 99th Congress, Second Session, 14 November 1986, p. 3984.

2. Ibid.

3. Ibid.

4. Ibid., p. 3985.

## CHAPTER II

### HISTORICAL PERSPECTIVE

Tangentially relevant to this study, is a review of the power elements influencing this legislation. The motivations of the President, The Congress and the Department of Defense (DOD) spurred by the general public and the media, were basic to an evolutionary process which sought to correct or improve special operations forces (SOF) and their capabilities to meet strategic goals. These efforts began in the early '80s and continue today. Congress, in passing Public Law 99-443 and Public Law 99-661, did not, nor purport to, totally resolve the SOF dilemma. It represents their perception of requisite action. It also represents a significantly innovative effort by Congress. The key power elements, in order of precedence with respect to their roles in shaping this phase, were: the Congress, the Department of Defense and the President.

#### THE CONGRESS

"Special Operations Forces (SOF), as indicated by the US experience during the Grenada and Iranian rescue missions, are one aspect of the defense establishment that is most assuredly broken and must be fixed."1 This statement by Senator Barry Goldwater succinctly represented the feelings of numerous congressional members advocating SOF reform. These reformers, led by Senator William S. Cohen and Representative Dan Daniel, had been observing the rebirth of SOF for several years. They

supported the rebirth through increasing appropriations and authorizations to DOD for special operations forces and equipment. Yet, witness testimony, congressional hearings and Senate studies indicate that the larger problem was not being thoroughly resolved. The United States, in the view of Congress, still lacked a strategically viable SOF capability. The importance of having this capability was founded in a congressional belief "...that the most likely use of armed force by the United States in the foreseeable future will be counterterrorist, counterinsurgency, and other unconventional operations...."2

The belief in this perception and the lack of apparent response by DOD imbued Congress with a deep sense of frustration and determination. So profound were these feelings, that Senate Amendment 2567 was offered by Senator William S. Cohen with several scathing congressional findings that DOD, led by the Military Services had, among other things, failed to adequately recognize, understand, plan, allocate or emphasize activities necessary to support SOF.<sup>3</sup> In fact, Senator Cohen pointedly stated, "...I believe we must take immediate steps to repair a flawed organizational structure that leaves special operations forces at the mercy of interservice rivalries and a military bureaucracy in which support for special operations runs counter to mainstream thought and careers."<sup>4</sup> He added that "...unless we make this mandatory and set this particular organizational structure up [the special operations command] the job will not get done....it is essential if we are going to come to grips with

the need to deal with unconventional warfare."5

It is with this tone that Congress sought to resolve the shortcomings. Clearly, based on their perceptions the actions were necessary and warranted to coerce the DOD into corrective action through sweeping, unprecedented legislation.

#### THE DEPARTMENT OF DEFENSE

The brunt of the congressional onslaught was vented at DOD. While one could assume from congressional statements that the DOD had not done much, and what they had done was incorrect, the facts suggest that the congressional displeasure was not totally warranted. SOF enhancements were being accomplished bureaucratically. The large DOD structure was expanding SOF and correcting deficiencies in an evolutionary manner.<sup>6</sup> Incremental changes sought to achieve the optimum SOF capability while resolving the shortfalls. This approach required time and did not always show positive results.

SOF however, did experience a real, significant and positive growth.<sup>7</sup> SOF funding increased from \$441 million in fiscal year 1981 to a requested \$1.6 billion in fiscal year 1987.<sup>8</sup> Ground SOF were expanded, Army SOF aviation elements were activated where none existed before and Air Force SOF aircraft, while not increasing in numbers, were improved and upgraded.<sup>9</sup> Command and control of SOF operations and capabilities were consolidated through the establishment of the Joint Special Operations Command (JSOC) in 1981.<sup>10</sup> Coordination of the Joint Chiefs of Staff (JCS) SOF activities was formalized by the

establishment of the Joint Special Operations Agency (JSOA) in January 1984.<sup>11</sup>

So what caused the friction and problems? Clearly DOD was not implementing SOF revitalization as Congress expected. However, Congress never specifically articulated what it expected the SOF capability to look like.

Some action within DOD can be seen as a catalyst to the legislative action. Most singularly, the lack of unity within DOD toward achieving an institutionalized SOF capability frustrated Congress.<sup>12</sup> Congress saw continued confusion involving all of DOD with regards to SOF enhancement. Mr. Noel Koch, former Principal Deputy Assistant Secretary of Defense for International Security Affairs, told Congress, " If anyone thinks we're making real progress and we're on a roll they are kidding themselves."<sup>13</sup> Confusion was evident within the Office of the Secretary of Defense (OSD) concerning oversight responsibility.<sup>14</sup> Confusion existed between the Army and the Air Force over rotary wing aircraft.<sup>15</sup> The creation of a SOF capability lacked a clear, well defined strategy. Admiral William J. Crowe, Chairman of the JCS, testified before the Senate that SOF "...is like the old story about the elephant: Whatever part you feel, that is what it is all about."<sup>16</sup> This statement best explains the problems which plagued DOD regarding special operations.

Another aspect of the DOD effort which rallied Congress to legislative action was the inconsistent SOF equipment acquisition program. The most widely publicized example of this situation was the Air Forces' treatment of the acquisition of MC-130 Combat

Talon II aircraft. The requirement for these aircraft was established in 1979, but the procurement funding was consistently slipped to the succeeding year's procurement cycle.<sup>17</sup> Priority for this aircraft on the Air Force Military Airlift Command procurement list has ranked between the 51st and 65th positions even though Congress had mandated funding in the Five Year Defense Plan.<sup>18</sup> The Army also had problems in SOF acquisition planning and execution. The former Army Chief of Staff, General (Ret) John A. Wickham wrote, " A frequently overlooked aspect of our force modernization initiatives involves enhancement of the Army's special operations forces...."<sup>19</sup>

Taking several years to conduct these actions, it is understandable why Congress became frustrated with DOD. It wasn't until the mid-1980's that DOD fully realized the mood of Congress and determined that Congress expected more quantifiable results or a solution would be legislated.

#### THE PRESIDENT

At about the time DOD realized the magnitude of the congressional intent, the President wrote Congress concerning "the future structure and organization of our defense establishment".<sup>20</sup> The scope and intent of this message was to advise Congress that organizational improvement within DOD was being accomplished as a result of the Packard Commission's recommendations. Congressional restraint was requested in legislating solutions.<sup>21</sup> The President challenged Congress not to recommend changes which would "...infringe upon the authority

or reduce the flexibility of the President or the Secretary of Defense."22 Discussion of the use of SOF was inclusive in the employment of conventional military forces in the spectrum of conflict. However, the concerns of the President over Congress creating a combatant command can be seen. Clearly, the President held the establishment of such commands to be outside congressional responsibility.23 The President sided with Congress in that certain reforms and laws were needed while others needed to be rescinded. He even recommended areas for congressional consideration.24

#### THE IMPLICATIONS

Each power element's influence on the final legislation was important. Each organization was moving to accomplish the task in a manner that they felt to be prudent and correct. As stated at the beginning of this chapter, this tangential review of the circumstances and the various power elements' role is relevant in answering the questions of this study. It is these same elements that are also required to enact and execute the current solution to enhance SOF and formalize this country's ability to respond globally to hostile situations requiring SOF.



# ENDNOTES

1. William S. Cohen, "A Defense Special Operations Agency: Fix for an SOF Capability that is Most Assuredly Broken," Armed Forces Journal International, January 1986, p. 38.

2. U.S. Congress, Senate, Congressional Record, 99th Congress, Second Session, 7 August 1986, p. S10621.

3. Ibid., pp. S10539-S10545.

4. Ibid., p. S10541.

5. Ibid., p. S10542.

6. See Statements of Donald C. Latham, Assistant Secretary of Defense for Command Control, Communications and Intelligence, and Major General Gerry Bunyard, Assistant Deputy Chief of Staff for Research, Development, and Acquisition, Department of the Army, and Major General J. Michael Loh, Director of Operational Requirements, Office of the Deputy Chief of Staff for Research, Development and Acquisition, Department of the Air Force Hearings before the U.S. Congress, House, Committee on Armed Services, Subcommittee on Procurement and Military Nuclear Systems, "Department of Defense Special Operations Forces", Congressional Record, 99th Congress, Second Session, 3 March 1986, pp. 569-589. During this testimony DOD personnel briefed the panel on initiatives undertaken since 1980 to expand and build SOF to meet strategic requirements.

7. Richard L. Armitage, U.S. Congress, Senate, Statement before the Subcommittee on Projection Forces and Regional Defense, Committee on Armed Services, Hearings on the "Department of Defense Authorization for Appropriations for Fiscal Year 1988 and 1989," S 1174, 100th Congress First Session, 1 April 1987, p. 3647.

8. James B. Motley, "Washington's Big Tug-of-War Over Special Operations Forces," Army, November 1986, p. 17.

9. Author knowledge.

10. John M. Collins, Green Berets, Seals and Spetsnaz, p. 21.

11. Donald C. Latham, U.S. Congress, House, Committee on Armed Services, Subcommittee on Procurement and Military Nuclear Systems hearings on "Department of Defense Special Operations Forces," Congressional Record, 99th Congress, Second Session, 3 March 1986, p. 575.

12. Dan Daniel, "The Case for a Sixth Service," Armed Forces Journal International, August 1985, p. 72.

13. Motley, p. 17.
14. Deborah Gallagher Meyer, et al., "Congressional Pressure May Force Far More Dollars for Special Ops," Armed Forces Journal International, April 1986, p. 20.
15. Deborah G. Meyer, et al. "An Exclusive AFJ Interview with: Noel C. Koch," Armed Forces Journal International, March 1985, p. 40.
16. William J. Crowe, Jr., U.S. Congress, Senate, Statement before the Committee of the Senate Armed Services Subcommittee of Sea Power and Force Projection, Hearings on S 2453, 99th Congress, Second Session, 5 February 1986, p. 32.
17. Noel C. Koch, letter to Senator William S. Cohen, undated.
18. Meyer, p. 20. See also U.S. Congress, Senate, Statement by Senator Sam Nunn, Congressional Record, 99th Congress, Second Session, 6 August 1986, p. S10544.
19. Motley, p. 20.
20. Ronald R. Reagan, President of the United States, letter to the Congress of the United States, 24 April 1986.
21. Ibid.
22. Ibid.
23. Ibid.
24. Ibid.

### CHAPTER III

#### AGAINST THE AUTHORITY

Certainly the efforts of Congress to resolve the current problems of special operations forces (SOF) and institutionalize the capability were essential. However, the means chosen and the extent to which Congress went were well beyond that which would have adequately resolved the salient SOF disparities. If Congress had limited their corrective legislation to establishing a unified command for special operations, creating an Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, mandating a Board for Low Intensity Conflict within the National Security Council and advising the President to designate a Deputy Assistant for Low Intensity Conflict within the Executive Office, then the Department of Defense (DOD) system could have responded to achieve the congressional intent. This limited legislation, coupled with initiatives already underway within DOD, may have adequately resolved the issues.

As it happened, Congress went beyond what was prudently necessary. Rather than legislating specific corrective solutions, Congress first fractured the SOF organization and then assembled it in a frustrated, piecemeal and compromise fashion while adding special operations-peculiar acquisition and development authority.<sup>1</sup> The solution will only exacerbate the dilemma for SOF. The true illustration of the lack of foresightedness on the part of Congress can be seen by the fact that conflicting acquisition and development mandates were

contained in the same legislation.<sup>2</sup> Simultaneously, Congress ignored restructuring efforts in progress and requests for assistance to update procurement laws from the President.<sup>3</sup>

The shortcomings identified for SOF acquisition and development strategy go more to the Military Service's priority of effort in acquiring necessary items. Compounding the problem was the fact that SOF requirements were needed sooner than the acquisition system could respond.<sup>4</sup> Big-ticket, conventional hardware garnered more attention than low-dollar, low-density SOF requirements.<sup>5</sup> This lack of adequate acquisition visibility appears to have been the crux of the problem. Additionally, the services failed to fully understand the negative effect on SOF, as in the case of the Combat Talon II procurement, that underfunding or slippage of acquisition time-lines created.

Congressionally legislated authority for a unified combatant commander to acquire and develop special operations-peculiar items has established a precedence which should be the source of great concern. Foremost should be the potential negative policy and procedure implications and the resultant affect on the United States' SOF ability. The possible detriments could offset the "Good Samaritan" intentions of Congress. It is the potential effects on policy, procedure and mission ability which, through closer scrutiny, most strongly support not granting the acquisition and development authority to the Commander in Chief, Special Operations Command (USCINCSOC).

### THE POLICY AND PROCEDURE

By granting acquisition and development authority for special operations-peculiar items, Congress mandated a solution before other, ongoing, viable corrective actions could be evaluated. The legislation placed upon a unified combatant commander the unnecessary burden to conduct certain acquisition and development functions. It created a mechanism whereby USCINCSOC will duplicate existing Military Services or defense agency acquisition systems and/or procedures which are promulgated in DOD Directives. As such, SOF may experience further isolation from the services and become but one more layer in a manpower and time intensive process.

The Goldwater-Nichols Defense Reorganization Act of 1986 (Public Law 99-433) and National Security Decision Directive (NSDD) 219 are but two documents which directed changes to the conventional acquisition system. The changes mandated by Public Law 99-433 focused on "...structural and process changes...to expedite program execution...and administrative processes."6 NSDD 219 recognized and sought to correct, "The layering inherent in the military staff organization and process which caused excessive 'administrative' delays in program progress which diffused responsibility...."7 While the motivation for these actions was not centered on SOF, the benefits certainly were realized by USCINCSOC. Other actions such as the unified combatant commanders involvement in the DOD acquisition systems Defense Review Board, the submission of the unified combatant commander's Integrated Priority List with subsequent review by

the Secretary of Defense and Congress and the requirement for congressional approval before SOF monies could be reprogrammed served to enhance the acquisition and development requirements of SOF. The most significant actions undertaken within DOD were "...steps to improve our [DOD] institutional capacity to manage SOF resources through creation of a major force program category- Program 11 [for the planning, programming and budgeting cycle]. By identifying SOF resources separately [Program 11]...we [DOD] will facilitate increased management attention and identification of problem areas."8 Creation of Program 11, coupled with the establishment of a unified combatant command, certainly should be sufficient to resolve the SOF acquisition and development issues. With USCINCSOC as the principle player in the development of Program 11, the potential for problems should also be eliminated. As General (Ret) E. C. Meyer, USA, stated in testimony before the Senate, "...if Program 11 is being supported then I would feel confident that we had an opportunity to develop the kind of Special Operations command that we need."9

As a law, USCINCSOC's authority duplicates the acquisition and development efforts of the Military Services. Granted, USCINCSOC is limited to "special operations-peculiar" items, but the fact remains that a unified combatant commander is paralleling a Military Service's responsibility. Even with the intent of USCINCSOC to "...use existing service acquisition systems to the maximum extent possible", the placement of personnel in his headquarters to perform duties relating to the acquisition and development process represents a duplication of

effort.<sup>10</sup> This duplication unnecessarily expends money and time. As Admiral William J. Crowe stated in Senate testimony, "...I see no organizational structure that could cut Special Operations Forces off from service resource and logistic support without becoming prohibitively expensive...."<sup>11</sup>

What this undertaking codifies is a unified combatant command for SOF which already is suspect by members of the Military Services and is subject to further isolation because of congressional legislation. It further serves to drive a bigger and deeper wedge in the schism between the conventional military and SOF. Given time, the hostility toward this organization functioning under perceived preferential rules will cause further problems. As Assistant Secretary of Defense Armitage testified before the Senate, "...an imposed solution will serve to reinforce the subliminal wall between SOF and the rest of the military...."<sup>12</sup>

#### THE MISSION

USCINCSOC has been assigned the formidable mission of preparing SOF to "...carry out assigned missions."<sup>13</sup> The additional missions of acquisition and development of special operations-peculiar items are inappropriate. The inappropriateness is evident when considering the organizational orientation, the overall mission magnitude and the suitability of the tasks. Exerting energies and spending dollars to institutionalize the procedures and establish a staff organization for the acquisition and development functions are

easy. However, coupled with the missions normally assigned to a unified combatant commander, the feasibility then becomes suspect.

The magnitude of the mission is better focused by first understanding the Special Operations Command's (SOCOMs) global orientation. Unlike most unified combatant command's, SOCOM has a functional, vice, geographic mission orientation. This means that USCINCSOC's forces must be capable of operating anywhere in the world, rather than just in Europe or Southwest Asia like other geographically oriented unified combatant commanders. This orientation expands and may complicate the training effort necessary to optimally prepare SOF. The magnitude of the mission should now become apparent. Preparing for worldwide employment, acquiring and developing SOF items, plus other missions quickly creates a large overall task for any organization or commander. Congress, by legislating a SOF solution, appears to have, in effect, placed all of this country's SOF eggs in one basket. This was done with the expectation and implication that previous problems would be resolved and that no further major problems would occur such as those in the rescue operations in Iran and Grenada. Singularly, these tasks should be easy to perform. However, historical evidence proves otherwise.

Assignment of the acquisition and development tasks are not suitable for a unified combatant commander. The aspect of suitability should not be confused with ability. The significant number of tasks USCINCSOC may be required to accomplish is underscored by the fact that he prepares all U.S. based SOF for



commitment at the lower end of the combat spectrum. These hostilities represent the "...most likely use of armed force by the United States in the foreseeable future...."14 He also conducts acquisition and development activities for special operations-peculiar equipment, material, supplies or services. The suitability of assigning these undertakings to a unified combatant command can be measured by the fact that there are five other regionally oriented unified combatant commands who do not have this acquisition and development authority. Their acquisition and development requirements are satisfied by the Military Services and several defense agencies on a full time basis. No other organization in the Federal Government even attempts combined missions on this scale. This consideration is particularly important given the congressional perceptions which fueled the mandated solution.

#### SUMMARY

Congressional mandates, Presidential decisions and Department of Defense directives, all enacted at once, tend to confuse and dilute the intentions derived from hard learned lessons. Through the legislative process an aberration to the acquisition and procurement system has been created which, rather than solving the problems, only exacerbates them. Congress has legislated an acquisition and development authority to a unified combatant commander which is more appropriate with a Military Service. The placement of this authority will serve only to

detract from the most important mission of warfighting. This mission is made more complicated by the potential global employment in the lower end of the conflict spectrum. Granting to USCINCSOC the authority to acquire and develop special operations-peculiar equipment and acquire special operations-peculiar material, supplies and services is not the responsible solution and therefore is not appropriate.

## ENDNOTES

1. Charles D. Odorizzi, "SOF Reorganization: Everyone Has a Plan Senate, House, and DOD," Armed Forces Journal International, September 1986, p. 22.

2. See U.S. Congress, "Goldwater-Nichols Department of Defense Reorganization Act of 1986," Public Law 99-433, U.S. Code Congressional and Administrative News, 99th Congress, Second Session, 1 October 1986, pp. 1011-1018.

See also U.S. Congress, "Defense Authorization Act for Fiscal Year 1987," Public Law 99-661, U.S. Code Congressional and Administrative News, 99th Congress, Second Session, 14 November 1986, p. 3984.

3. See Ronald R. Reagan, President of the United States, letter to the Congress of the United States, 24 April 1986.

4. Dan A. Daniel, "US Special Operations: A Case for a Sixth Service," Armed Forces Journal International, August, 1985.

5. Ibid.

6. United States Army, U.S. Army War College, Chapter 17, "Materiel System-Research, Development, and Acquisition Management," Army Command and Management: Theory and Practice, 1988-1989, p. 11.

7. Ibid., pp. 17-12.

8. Richard L. Armitage, U.S. Congress, Senate, Statement before the Committee on Armed Services, Subcommittee of Sea Power and Force Projection, Hearings on S 2453, 99th Congress, Second Session, 5 August 1986, p. 21.

9. Edward C. Meyer, U.S. Congress, Senate, statement before the Committee on Armed Services, Subcommittee on Sea Power and Force Projection, Hearings on S 2453, 99th Congress, Second Session, 5 August 1986, p. 3673.

10. USCINCSOC Staff FACT SHEET, "USSOCOM's Role in the Acquisition Process," 2 November 1988.

11. William J. Crowe Jr., U.S. Congress, Senate, Statement before the Committee on Armed Services, Subcommittee on Sea Power and Force Projection, Hearings on S 2453, 99th Congress, Second Session, 5 August 1986, p. 11.

12. Armitage, p. 23.

13. Ibid., Public Law 99-661.

14. William S. Cohen, U.S. Congress, Senate, "Amendment Number 2567," Congressional Record, 99th Congress, Second Session, 6 August 1986, p. S10539.

## CHAPTER IV

### FOR THE AUTHORITY

Legislated procedures to improve a strategic capability found in special operations forces (SOF) was a necessary congressional reaction. Previous inadequate responses by the Department of Defense (DOD) to properly strengthen and formalize SOF was driven, not by a lack of desire but, by the fact that "...SOF simply did not fit the conventional military structure. Their specialized support requirements cannot be conveniently pigeonholed within the system."1 Over the years SOF requirements lacked a strong voice during the planning, programming and budgeting process. When viewed at the macro level, SOF budget requirements were barely visible among the tanks, fighters and aircraft carriers. As Admiral William J. Crowe testified, "...small forces invariably have difficulty competing against larger forces for budget dollars in general and new combat equipment in particular. This problem is going to grow rather than diminish over time...."2

The approach that Congress took in mandating the establishment of a unified combatant command with full authority to acquire and develop special operations-peculiar items was correct and justified. Congressional actions were not based on quick or emotional judgments. They frontally addressed the problems and, given the circumstances, sought to develop a tempered solution. They had observed and questioned DOD SOF initiatives over a period of several years and after several

employment situations such as terrorist hijackings and the hostage rescue operations in Iran and Grenada. None of these produced any significantly tangible improvements toward overcoming the SOF dilemma.

While the legislated solution may appear to contradict or conflict with other legislation, the fact is that the new acquisition and development structure will integrate well with the revised system. Some inefficiencies and inaccuracies should well be expected, given the magnitude and innovative nature of the legislation. Naturally, the problems may require further legislated corrections and the entire process will entail a significant effort to overcome the institutional dynamics. On balance though, some turmoil may well be worth the establishment of a command and staff element which has as one of its primary missions the acquisition and development of special operations-peculiar equipment, material, supplies and services.

The unprecedented intent could well serve as the rationale for the propriety of this legislation. This statement may appear to insinuate that since the previous DOD initiatives failed, the congressional solution was the only avenue left. Such is not the case. The merits and wisdom of enacting this innovative legislation are quite easily discernible. Several quantifiable elements can now stand a critical analysis and thereby support the granting of this authority to a unified combatant commander. Others will become evident over the passage of time. The more readily examined areas make the overall solution viable and encompass the very intent of the legislation. Functionally, the

realms of policy, procedure and mission ability as shown in Chapter III are also suitable for this section and will be used to more easily point out the answers to the questions under study.

### THE POLICY AND PROCEDURE

Quantifiable justification for granting acquisition and development authority to a unified combatant commander is evident from the policy and procedure perspective. Congress, in mandating the conditions and terms created an organization which can be built for tailored support of SOF requirements, will provide centralized functions over SOF matters and will insure the creation of a true joint capability.

Support for the authority appears to be limited by the argument that the revisions mandated in the Goldwater-Nichols Department of Defense Reorganization Act of 1986 would allow sufficient opportunity for a unified combatant commander to acquire equipment during the Planning, Programming and Budgeting Cycle (PPBS). As such, the mandating of full acquisition and development authority for special operations-peculiar items to USCINCSOC was not prudent. The degree of opportunity, when examined, reveals that the unified combatant commanders' expanded role during PPBS is limited to "influencing" the cycle with no assurances of the outcome. SOF, to overcome systemic problems, required the ability to "control" the process.<sup>3</sup> Thus the support for granting the acquisition and development authority to USCINCSOC is sound.

Whether by design or by accident, the legislation authorizing the acquisition and development of special operations-peculiar items by a unified combatant commander can be easily enacted and thus begin to resolve the major faults plaguing SOF. The ease of enacting this law is achieved by the fact that the congressionally legislated approach created a new organization with consolidated responsibilities and authorities over the entire special operations domain. Congress did not attempt to enact mid-course corrections as the initiative sailed to unknown acceptability or failure. The legislation, from a policy and procedure standpoint supported the desires of the President when he advised Congress, "To respond successfully to these changing circumstances and requirements, our defense organization must be highly adaptable."<sup>4</sup>

Adaptability is the key fundamental which is unique to the authority granted by Congress. The adaptability will allow the entire structure to be established and provide direct tailored support for SOF requirements thus finally achieving the intended goal desired by Congress and sought by DOD. USCINCSOC is not faced with the quandary of revising or modifying an organizational structure. The manner and extent to which the acquisition and development structure is instituted will be a function of tailoring requisite support in consonance with existing directives, regulations and missions. In so doing USCINCSOC will initiate a system that has, as its sole mission, the acquisition and development of special operations-peculiar items necessary to support SOF requirements.



Centralization or consolidation of effort across the service spectrum will in itself create some duplication. This duplication will only be task oriented and not item oriented. Special operations-peculiar items will be acquired and developed only by USCINCSOC or his designated agent. If his staff's recommendations are an indication, then "USCINCSOC will use existing service acquisition systems to the maximum extent possible."5 The benefits to this approach will allow central procurement of SOF items in a timely manner. This central procurement can be accomplished through the established service system and thus keep the SOCOM staff structure to a minimum. Or, for those unique special operations-peculiar items not available, then USCINCSOC may need to establish the internal means to acquire and develop state-of-the art, low-density items in a highly streamlined manner. This short-order, fast fill capability may constitute the bulk of USCINCSOC's assigned acquisition and development structure. The conventional acquisition and development system capability, in consonance with a mission analysis, should determine the norm for what constitutes an acceptable mix of SOCOM, Military Service acquisition and development structures.

While not a primary purpose or motivator to the legislating of this authority, Congress has created within DOD a unique all-inclusive "joint" program. Cyclically, USCINCSOC, with guidance from the National Command Authority, and in coordination with other regional unified combatant commanders, determines the strategic goals and missions for SOF. Budgets are formulated,

requested and executed by USCINCSOC. Special operations-peculiar items are acquired and developed to support the strategy and missions. The process of planning, programming, acquiring and executing by one command represents joint unity of effort. While different SOF elements compete for the resources, the competition is internal to one command. The final priority of acquisition is established by the CINC in a manner which best supports the overall mission. With each Military Service performing this function "...a confluence of three separate SOF budgets that results in a properly balanced "joint" program is more a matter of luck than wisdom."6 Which is exactly what SOF must avoid. With its operations being inherently of high risk, luck should not be the common denominator.

#### THE MISSION

The unified combatant commander of the Special Operations Command was mandated a principal mission to develop and acquire special-operations peculiar equipment and acquiring special-operations material, supplies and services. With this mission are several other mandates which specifically state how Congress wanted the mission to be accomplished. These mandates do not conform to traditional roles. In some cases the principle mission directly infringes on traditional Military Service responsibilities.

But Congress was left with no other choice, given their perceptions of what was needed to save the strategically important SOF capability. In mandating the Military Services

traditional responsibilities to USCINCSOC, they also limited the priority of the traditional "warfighting" unified combatant commander mission. What Congress did was state that, "The principal function of the command is to prepare special operations forces to carry out assigned missions."7 Under the "activity" subparagraph Congress stated as a first priority "mission command" will belong to the geographical commander. In other words USCINCSOC would transfer command to someone else for missions. As a subsequent priority USCINCSOC would himself command during mission execution.8

Understanding that the congressional intent was to resolve past SOF inadequacies allows the acceptance of the fact that USCINCSOC's primary mission is to prepare SOF for hostile action and not command them in battle. His "...intent under the law is to ensure that special operations forces (SOF) are adequately equipped to perform the full range of required missions and to take the lead in research, development, acquisition and testing of SO [special operations] -peculiar material."9 This intent implies, and is substantiated by General James Lindsay, Commander SOCOM, that SOCOM is in fact a supporting command.10 Based on this perception and the fact that the assigned mission is not traditional, there is no conflict or degradation to mission performance due to too many primary missions. In fact, USCINCSOC can only expeditiously and adequately accomplish his mission with the authority granted to him to acquire and develop special operations-peculiar items. Therefore, this mandated authority is well placed and appropriate.

### SUMMARY

Congress mandated the establishment of the Special Operations Command and granted to the commander the authority to acquire and develop special operations-peculiar items. This action was taken because Congress felt it had no other choice in order to save and perpetuate a strategic military capability it felt this country must have. Without argument, the need to institutionalize this military capability, in view of the high probability of employment, was absolutely necessary. Even more necessary was the manner, and the extent, to which Congress went to rectify the problems existing in the special operations force.

In establishing a unified Special Operations Command, one agency now speaks with authority for SOF requirements. This unified authority will easily enact the legislation and achieve a centralized and focused joint capability. All of which supports the primary mission of UNCINCSOC "...of providing properly trained and equipped combat forces for required missions."<sup>11</sup> Therefore, the granting of the acquisition and development authority for special operations-peculiar equipment and the acquisition authority for special operations-peculiar material, supplies and services to a unified combatant commander, rather than retaining it with the Military Services, is rational and absolutely appropriate.

## ENDNOTES

1. Dan Daniel, "US Special Operations: The Case for a Sixth Service," Armed Forces Journal International, August 1985, p. 70.

2. William J. Crowe, Jr., U.S. Congress, Senate, Statement before the Committee on Armed Services, Subcommittee on Sea Power and Force Projection, Hearings on S 2453, 99th Congress, Second Session, 5 August 1986, p. 10.

3. James E. Giles, III, et.al, Logistics Management Institute, "Options for Resourcing Special Operations," The Next Step for Special Operations: Getting the Resouces to Do the Job, August 1988, p. 4-4.

4. Ronald R. Reagan, President of the United States, letter to the Congress of the United States, 24 April 1986.

5. SOCOM SOJ4-M FACT SHEET, "USSOCOM's Role in the Acquisition Process," 2 November 1988.

6. Daniel, p. 72.

7. U.S. Congress, "Defense Authorization Act for Fiscal Year 1987", Public Law 99-661, U.S. Code Congressional and Administrative News, 99th Congress, Second Session, 14 November 1986, p. 3984.

8. Ibid.

9. USSOCOM briefing, "Acquisition Strategy," 11 August 1988.

10. Giles, p. 1-4.

11. Ibid.

## CHAPTER V

### THE DISCUSSION AND THE CONCLUSION

The difficulty in assessing or attempting to answer the questions of this study is the fact that the issue was, and remains, highly charged emotionally. The fact that Congress directed the establishment of a military organization runs counter to the perceived authority of the President and the Department of Defense. However, if one can remove the veil of emotion and look to the bottom line elements, there can be seen a clear cut series of answers to the questions.

#### THE DISCUSSION

The enhancement of special operations capabilities began as a rebirth in the early 1980's. This rebirth was a combined effort among the President, the Congress and the Department of Defense (DOD). Each played a significant, but traditional role in the process. In the mid-1980's, Congress began to more closely scrutinize DOD's rebuilding efforts and became concerned due to a lack of visible growth and operational success.

DOD, for its part, was managing the defense structure as it always had. SOF and their capabilities were but a small fraction of the total defense establishment. DOD was more concerned with the larger issues and failed to detect congressional displeasure over the lack of credible and quantifiable improvements to SOF. Evolutionary corrections were made as necessary to the structure and organizations. Congressional allegations of the deficiencies

within SOF included inadequate transportation, outdated equipment, poor command and control procedures, improper utilization and an overall lack of priority within DOD.

Finally in 1986, Congress opted to force DOD to correct the perceived deficiencies through the passage of two pieces of legislation. The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the National Defense Authorization Act for Fiscal Year 1987 set in motion a series of mandates, the likes of which DOD had never before seen.

Congress directed, in these laws, that DOD establish a unified combatant command, to be designated the Special Operations Command. It granted to this command the authority to develop and acquire special operations-peculiar equipment and acquire special operations-peculiar material, supplies and services. Both authorities were traditional missions for the Military Services. Congress also directed that this unified combatant commander prepare and submit a fiscal budget and that any monies authorized by Congress were fenced solely for special operations use. The budgeting requirement is a traditional mission for the Military Services and defense agencies. Congress historically fences monies only to insure and protect the monies for a designated project. A unified combatant commander had never before had any of these authorities.

#### THE QUESTIONS

These mandated elements bring forth questions concerning whether the placement of the acquisition and development

authority is appropriate, whether a unified combatant commander can adequately accomplish the mission, or whether these tasks are more appropriate with a Military Service or defense agency organized and oriented to accomplish these tasks. Simply stated the questions are founded on whether the mission is appropriate for a unified combatant commander, whether the commander's staff is adequate and if not, who is better capable?

#### MISSION APPROPRIATENESS

In assessing whether the mission is appropriate, one document is key to the answer. This document is the public law stating the mandates to be executed. The congressional language is quite specific in assigning the tasks. Congress wanted the principal mission of this unified combatant commander to be preparing and equipping SOF. This unified combatant commander was not to be commanding the force during hostilities except in unusual circumstances. As such, Congress granted requisite authority for the commander to accomplish the assigned mission. Congress focused the mission rather than allowing it to become a secondary issue. The primacy and institutionalization of SOF as an instrument of national policy was achieved.

While the countering arguments are rational, their focus is outside the legal mandates. The focus is founded on tradition rather than as a means to the ends. To say that DOD policy and presidential direction changes were adequate and that influencing the process will be sufficient to meet the needs of SOF is failing to acknowledge the true issues. Arguing that a unified



combatant commander's primary role is planning, operating and warfighting is again looking to the past and not appreciating the future requirements and capabilities of SOF.

This mission is appropriate for a unified combatant commander given the emphasis to the acquisition and development mission and the subjugation of the traditional mission. The small size of the special operations force warrants focused effort so that the requirements do not become lost in the extremely large conventional arena.

#### ADEQUACY

The adequacy of a Military Service, defense agency or unified combatant command staff structure to acquire and develop special operations-peculiar items is best determined in this study by looking again to the public law. This was a newly established organization. It was not a modification or an aberration of an existing structure. The organization that is established will be done solely and sufficiently to accomplish the acquisition and development function. To imply that this new organization duplicates existing organizations, and that existing organizations are more adequate, fails to recognize the unique requirements of SOF. More importantly this argument fails to recognize past performance and inadequacies.

Clearly the structure developed will adequately accomplish the mission. Counter arguments are diminished by virtue of the commander's guidance to use established systems as much as possible. The duplicated segments of the structure will have

different tasks and therefore are not relevant to this argument.

#### THE CONCLUSION

While the actions of Congress were clearly innovative and taken without consideration to tradition, this study finds that the actions were correct. The Commander in Chief, Special Operations Command has well placed authority, can adequately develop and acquire special operations-peculiar equipment and acquire special operations-peculiar material, supplies and services to best support special operations forces and initiatives. As such, no other service or defense agency, as presently structured and organized, could better accomplish the task.

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